

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Animal Husbandry Department – Allegation of corruption against Dr. T. Papa Rao, formerly Veterinary Assistant Surgeon., Govt. Live Stock Centre, Gantyada, Vizianagaram District – Trapped on 08.06.1994 – Charge sheeted in a court of law – Acquitted by the Spl. Judge for ACB cases, Visakhapatnam in CC.No. 38/2000 (old CC.No.16/95) on 18.12.2003 – Criminal Appeal No. 1567/2004 filed before the High Court of Andhra Pradesh – Dismissed – Further action dropped – Regularization of suspension period – Orders – Issued.

ANIMAL HUSBANDRY DAIRY DEVELOPMENT & FISHERIES (VS.1) DEPARTMENT

G.O.Rt.No. 242

Dated: 11.06.2012.
Read the following:

- 1.From the Director General, Anti-Corruption Bureau, Letter No.82/RCT-VVZ/94-S.12, Dated: 20.06.1994.
- 2.The Director of Animal Husbandry, Proc.Roc.No.27718/G2/1994, dated:28.07.1994.
- 3.From the Director General, Anti-Corruption Bureau, Letter No.82/RCT-VVZ/94-S.12, Dated: 20.12.1994
- 4.G.O.Ms.No.23, Animal Husbandry, Dairy Development & Fisheries (AH-1) Department, dated:16.03.1995.
- 5.Govt.Memo.No.10654/AH.1(2)/1995-14, dated:19.02.1999.
- 6.Judgment dated: 28.12.1998 of the Spl. Court for Anti-Corruption Bureau, Cases, Visakhapatnam in CC.No.16/1995.
- 7.From the Director General, Anti-Corruption Bureau, Letter No.82/RCT-VVZ/94-S.12,Dated: 12.03.1999 & 01.04.1999.
- 8.Govt.Memo.No.10654/AH.1(2)/1995-16, dated: 16.04.1999
- 9.From the Director General, Anti-Corruption Bureau, Letter No.82/RCT-VVZ/94-S.12, Dated: 03.06.2000.
- 10.G.O.Rt.No.73, AHDD&F(AH-1) Dept., Dated: 19.02.2001
- 11.Judgment dated: 18.12.2003 of the Spl. Court for ACB Cases, Visakhapatnam in CC.No.38/2000 (Old CC.No.16/1995)
- 12.From the DG ,ACB, Letter No.82/RCT-VVZ/94-S.12, Dated: 13.02.2004.
- 13.Govt.Memo.No.6161/VS/2003-3, dated: 19.03.2004.
- 14.Judgment of High Court of A.P., Dated: 13.10.2011 in Criminal Appeal No.1567/2004 filed by the ACB., authorities.
- 15.From the DAH., Letter Roc.No.35073/VC/G2/2011, dated:09.03.2012.

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ORDER:-

In the reference 1st read above, Dr. T. Papa Rao, Veterinary Assistant Surgeon, LSU., Gantyada, Vizianagaram district was trapped on 8.06.94 in the Veterinary dispensary at Gantyada by the Officials of the Anti-Corruption Bureau, when he demanded and accepted Rs.100/- as illegal gratification other than legal remuneration from a resident of Kurlam Village for showing Official favor of treating a buffalo.

2. In the reference 2nd read above, the Director of Animal Husbandry in his proceedings dated. 28.07.1994, placed the Officer under suspension and after receipt of the final report of the Anti-Corruption Bureau, Government have issued prosecution sanction order vide G.O.4th read above.

3. In the reference 5th read above, Dr.T. Papa Rao Veterinary Assistant Surgeon (U/s) has been reinstated into service without prejudice to the prosecution pending against him in the court and after reinstatement he has posted to a far off place in non focal point.

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4. In the reference 7th read above, the Director General, Anti-Corruption Bureau, has requested the Government to accord permission to prefer an appeal in the High Court against the acquittal Judgment dated: 28.12.1998 in C.C.No.16/95 in the Special Court of Anti-Corruption Bureau cases, Visakhapatnam and Government have permitted the Director General, Anti-Corruption Bureau to prefer an appeal in High Court against the acquittal Judgment, dated:28.12.98 vide reference 8th read above.

5. In the reference 9th read above, the Director General, Anti Corruption Bureau, Hyderabad has informed that this case was remanded back to the lower court for further steps by the common judgment, dt.30.12.99 of the Hon'ble High Court of A.P., Accordingly the prosecution has filed application U/s 311 Cr.P.C. in the Special Court of Anti-Corruption Bureau, cases, Visakhapatnam for reopening the case for trial vide CrI.M.P.No. 135/2000. The Court has assigned a corresponding new C.C.No.38/2000. Consequently, the Accused Officer has retired from service on attaining the age of superannuation on 31.08.2000.

6. In the G.O 10th read above, Government have sanctioned Provisional Pension to Dr. T. Papa Rao, Veterinary Assistant Surgeon (Retired). In the reference 11th read above, Judgment was pronounced by the Special Judge for Anti-Corruption Bureau, cases, Visakhapatnam in CC.No. 38/2000 (old CC.No.16/95) on 18.12.2003 acquitting the Accused Officer, Dr. T. Papa Rao, formerly Veterinary Assistant Surgeon., Government Live Stock Centre, Gantyada, Vizianagaram District U/s Cr.P.C. as he was found not guilty.

7. In the reference 12th read above, the Director General, Anti-Corruption Bureau has informed that, the L.A – Cum – Special P.P., ACB., Spl. Court, Visakhapatnam while furnishing a copy of Judgment has opined that this is a fit case to prefer an appeal in the High Court of Andhra Pradesh against the acquittal Judgment of the trial court and the Standing Counsel for Anti-Corruption Bureau Cases, High Court of Andhra Pradesh has also opined that there are grounds for appeal. Accordingly, Government have permitted the Director General, Anti-Corruption Bureau / The Standing Counsel for Anti-Corruption Bureau Cases, High Court of Andhra Pradesh to prefer an appeal in High Court against the acquittal Judgment dt.18.12.2003, vide reference 13th read above, Accordingly a Criminal Appeal No.1567/2004 was filed before the High Court of Andhra Pradesh and in the reference 14th read above the Hon'ble High Court has dismissed the Criminal Appeal No.1567/2004.

8. In the reference 15th read above, the Director of Animal Husbandry, Andhra Pradesh, Hyderabad has furnished the representation of Dr. T. Papa Rao, Veterinary Assistant Surgeon (Retired) for regularization of suspension period from 03.08.1994 to 18.03.1999 as on duty and release of pensionary benefits.

9. After careful examination of the matter in detail and in the light of the Judgment of the Hon'ble High Court in Criminal Appeal No.1567/2004, dated: 13.10.2011 the Government hereby decided to drop further action against Sri Dr. T. Papa Rao Veterinary Assistant Surgeon (Rtd.) and to regularize the period of suspension in favor of Dr. T. Papa Rao, Veterinary Assistant Surgeon (Retired) with effect from 03.08.1994 to 18.03.1999 as "on duty" since the cause for suspension has become non ent.

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10. Accordingly, Government hereby drop the further action against him and to regularize the period of suspension with effect from 03.08.1994 to 18.03.1999 in respect of Dr. T. Papa Rao, Veterinary Assistant Surgeon(Retired) as “on duty” under FR 54-B(3).

11. The Director of Animal Husbandry, Andhra Pradesh, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.BHALE RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

The Director of Animal Husbandry, A.P, Hyderabad.

Dr. T. Papa Rao, Veterinary Assistant Surgeon(Retired), D.No.8-15-14,
Balajinagar, IIIrd Line, Vizianagaram (through the Director of Animal Husbandry)

Copy to:

The Accountant General, A.P, Hyderabad.

The Director of Treasuries & Accountant, Hyderabad.

The Pay & Accounts Officer, Hyderabad.

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER